

such individual according to the procedure in paragraph (b) of this section except those records described under paragraph (d) of this section.

(b) After inspection by an individual of a record pertaining to such individual, he or she may file a written request, presented in person or by mail, with the Administrative Officer, for an amendment to a record. Such request shall specify the particular portions of the record to be amended, the desired amendments and the reasons therefor.

(c) Not later than 10 days (excluding Saturdays, Sundays, and legal holidays) after the receipt of a request made in accordance with this section to amend a record in whole or in part, the Administrative Officer shall:

(1) Make any correction of any portion of the record which the individual believes is not accurate, relevant, timely or complete and thereafter inform the individual of such correction; or

(2) Inform the individual, by certified mail return receipt requested, of the refusal to amend such record, setting forth the reasons therefor, and notify the individual of the right to appeal that determination as provided under § 504.8 of this part.

(d) The provisions for amending records do not permit the alteration of evidence presented in the course of Commission proceedings in the adjudication of claims, nor do they permit collateral attack upon what has already been subject to final agency action in the adjudication of claims in programs previously completed by the Commission pursuant to statutory time limitations.

§ 504.8 Appeals from denial of requests for amendment to records.

(a) An individual whose request for amendment of a record pertaining to such individual is denied may request a review of such determination. Such request shall be addressed to the Chairman of the Commission, and shall specify the reasons for which the refusal to amend is challenged.

(b) If on appeal the refusal to amend the record is upheld, the Commission shall permit the individual to file a statement setting forth the reasons for disagreement with the determination.

The statement must also be submitted within 30 days of receipt of the denial. The statement shall be included in the system of records in which the disputed record is maintained and shall be marked so as to indicate (1) that a statement of disagreement has been filed, and (2) where in the system of records the statement may be found.

§ 504.9 Fees.

Fees to be charged, if any, to any individual for making copies of such individual's record excluding the cost of any search for and review of the record shall be as follows:

(a) Photocopy reproductions, each copy \$0.15.

(b) Where the Commission undertakes to perform for a requester, or any other person, services which are clearly not required to be performed under the Privacy Act, either voluntarily or because such services are required by some other law, the question of charging fees for such services shall be determined by the official or designee authorized to release the information, under the Federal user charge statute, 31 U.S.C. 583a, any other applicable law, and the provisions of § 503.13 of part 503 of the Commission's regulations.

§ 504.10 Exemptions.

No system of records maintained by the Foreign Claims Settlement Commission is exempt from the provisions of 5 U.S.C. 552a as permitted under certain conditions by 5 U.S.C. 552a (j) and (k). However, the Chairman of the Commission reserves the right to promulgate rules in accordance with the requirements of 5 U.S.C. 553(b) (1), (2) and (3), (c) and (e) to exempt any system of records maintained by the Commission in accordance with the provisions of 5 U.S.C. 552a(k).

§ 504.11 Reports.

(a) The Administrative Officer or designee shall provide adequate advance notice to Congress and the Office of Management and Budget of any proposal to establish or alter any Commission system of records, as required by 5 U.S.C. 552a(o).

(b) If at any time a system of records maintained by the Commission is determined to be exempt from the application of 5 U.S.C. 552a in accordance with the provisions of 5 U.S.C. 552a (j) and (k), the number of records contained in such system shall be separately listed and reported to the Office of Management and Budget.

§ 504.12 Notices.

The Commission shall publish in the FEDERAL REGISTER at least annually a notice of the existence and character of the systems of records which it maintains. Such notice shall include:

- (a) The name and location of each system;
- (b) The categories of individuals on whom the records are maintained in each system;
- (c) The categories of records maintained in each system;
- (d) Each routine use of the records contained in each system including the categories of users and the purpose of each use;
- (e) The policies and practices of the Commission regarding storage, retrievability, access controls, retention, and disposal of the records;
- (f) The title and business address of the agency official who is responsible for each system of records;
- (g) Commission procedures whereby an individual can be notified if a system of records contains a record pertaining to such individual;
- (h) Commission procedures whereby an individual can be notified how to gain access to any record pertaining to such individual contained in a system of records, and how to contest its content, and
- (i) The categories of sources of records in each system.

Subpart B—Government in the Sunshine Regulations

AUTHORITY: 5 U.S.C. 552b.

§ 504.20 Definitions.

For purposes of this part: *Agency* means any agency, as defined in 5 U.S.C. 552b(e), which includes the Foreign Claims Settlement Commission, headed by a collegial body composed of

two or more individual members, a majority of whom are appointed by the President with the advice and consent of the Senate, and any subdivision thereof authorized to act on behalf of the agency;

Closed meeting and *closed portion of a meeting* mean, respectively, a meeting or that part of a meeting designated as provided in § 504.27 as closed to the public by reason of one or more of the closure provisions listed in § 504.24.

Commission means the Foreign Claims Settlement Commission, which is a collegial body that functions as a unit composed of three individual members, appointed by the President with the advice and consent of the Senate.

Meeting means the deliberations of at least two (quorum) members of the Commission where such deliberations determine or result in joint conduct or disposition of official Commission business.

Member means any one of the three members of the Commission.

Open meeting means a meeting or portion of a meeting which is not a closed meeting or a closed portion of a meeting.

Public observation means the right of any member of the public to attend and observe, but not participate or interfere in any way, in an open meeting of the Commission within the limits of reasonable and comfortable accommodations made available for such purpose by the Commission.

§ 504.21 Notice of public observation.

(a) A member of the public is not required to give advance notice of an intention to exercise the right of public observation of an open meeting of the Commission. However, in order to permit the Commission to determine the amount of space and number of seats which must be made available to accommodate individuals who desire to exercise the right of public observation, such individuals are requested to give notice to the Commission at least two business days before the start of the open meeting of the intention to exercise such right.

(b) Notice of intention to exercise the right of public observation may be